



Planning and Development Act 2000, as amended

Planning Authority: Louth County Council

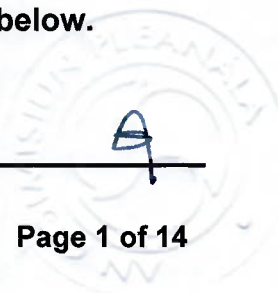
Planning Register Reference Number: 2460189

Appeal by Crayvall Egg Production Limited against the decision made on the 30th day of May, 2024 by Louth County Council to refuse permission for the proposed development.

Proposed Development: Construction of one number poultry layer house and one number manure/general purposes store, together with all ancillary structures (to include three number meal storage bin(s) and soiled water tank), and all associated site works (to include upgraded internal farm laneway, silt drainage and storm water attenuation) associated with the proposed development at Carrickbaggot, Grangebellew, County Louth. This application relates to a development which is for the purposes of an activity requiring a licence under Part IV of the Environmental Protection Agency (Licencing) Regulations 1994 to 2013.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.



Reasons and Considerations

In making their decision, the Commission had regard to

- (a) the policies and objectives set out in the Louth County Development Plan 2021-2027, National Planning Framework (1st Revision) and the Regional Spatial and Economic Strategy for the Eastern and Midland Region (RSES) 2019-2031 which support agricultural activities,
- (b) the existing use on site,
- (c) the agricultural nature of the proposed development in a rural location, where such a use is appropriate,
- (d) the pattern of development in the area,
- (e) the use of an existing entrance serving an existing poultry house,
- (f) the requirement that the development will be subject to a licence from the Environmental Protection Agency, and
- (g) the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025) as amended by European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations 2026.

Appropriate Assessment: Stage 1:

The Commission considered the documents submitted with the application, and all the other relevant submissions on file, and carried out an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites. The Commission agreed with the screening assessment and conclusion carried out in the Inspector's Report that Clogherhead Special Area of Conservation (Site Code 001459), Boyne Coast and Estuary Special Area of Conservation (Site Code 001957), Dundalk Bay Special Area of Conservation (Site Code 000455), North-West Irish Sea Special Protection Area (Site Code 004236) and Dundalk Bay Special Protection Area (Site Code 004026) are the European

Sites in respect of which the proposed development has the potential to have a significant effect in view of the Conservation Objectives for the sites and that Stage 2 Appropriate Assessment is, therefore, required.

Appropriate Assessment: Stage 2:

The Commission considered the Natura Impact Statement and all other relevant submissions including expert submissions received and carried out an Appropriate Assessment of the implications of the proposed development on Clogherhead Special Area of Conservation (Site Code 001459), Boyne Coast and Estuary Special Area of Conservation (Site Code 001957), Dundalk Bay Special Area of Conservation (Site Code 000455), North-West Irish Sea Special Protection Area (Site Code 004236) and Dundalk Bay Special Protection Area (Site Code 004026), in view of the sites' conservation objectives. The Commission considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the conservation objectives of the sites using the best available scientific knowledge in the field.

In completing the assessment, the Commission considered, in particular, the following:

- (a) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- (b) the mitigation measures which are included as part of the current proposal, and
- (c) the conservation objectives for the European Sites.

In completing the Appropriate Assessment, the Commission accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the sites' conservation objectives.

In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with other plans or projects, would not

adversely affect the integrity of the European Sites in view of their conservation objectives. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects.

The Commissioners noted that the Inspector referenced the requirements of the European Union (Good Agricultural Practice for the Protection of Waters) Regulations (SI 113 of 2022). New Good Agriculture Practice Regulations came into effect in December 2025 (S.I. No. 588/2025 - European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025). As the 2025 GAP Regulations revoked the previous 2022 GAP Regulations and all amendments thereto, the Commission have cited the updated Regulations.

Environmental Impact Assessment

The Commission completed an environmental impact assessment of the proposed development, taking into account:

- (a) the nature, scale, location and extent of the proposed development,
- (b) the Environmental Impact Assessment Report and associated documentation submitted in support of the application, and in response to the request for further information,
- (c) the submissions received from the planning authority, applicant, and observers in the course of the application, and
- (d) the report of the Planning Inspector.

The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

The Commission agreed with the examination, set out in the Inspector's Report, of the information contained in the Environmental Impact Assessment

Report and associated documentation submitted by the applicant and submissions made in the course of the application.

Reasoned conclusions on the significant effects

The Commission considered and agreed with the Inspector's reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated where relevant, as follows:

Population and human health

Subject to the agreement of a final CEMP with the planning authority there is no potential for any significant direct, indirect or cumulative effects on population and human health as a result of the proposed development.

Water (groundwater)

Having regard to the alternative water supply proposals there will be no direct effect on the volume of ground water resources at the location of the proposed site. Effects of alternative water supply through the Group Water Scheme and the environmental impact of same are subject to separate EIA screening and assessment.

Material assets (water supply)

Having regard to the alternative water supply proposals, there will be no direct effect on water supply in the area provided through private wells. Indirect effects on water supply via the Group Water Scheme may also be ruled out at this time. Future effects of alternative water supply through the Group Water Scheme and the environmental impact of same are subject to separate EIA screening and assessment. The Commission was further satisfied that there is no potential for any significant direct, indirect or cumulative effects on material assets as a result of the proposed development.

Biodiversity

Having regard to the alternative water supply proposals, there will be no direct or indirect effects on wetlands from groundwater abstraction. It is also concluded in the Appropriate Assessment that that significant adverse effects on Clogherhead Special Area of Conservation (Site Code 001459) from ammonia emissions may be ruled out.

Cultural Heritage and Landscape

Subject to Architectural Impact Assessment and landscaping conditions, there is no potential for any significant direct, indirect or cumulative effects on cultural heritage or landscape as a result of the proposed development.

Climate

There is no potential for any significant direct, indirect or cumulative effects on climate as a result of the proposed development.

Noise

There is no potential for any significant direct, indirect or cumulative effects on noise as a result of the proposed development.

Air

Notwithstanding concerns relating to impacts on air quality and related effects from ammonia emissions on biodiversity, addressed above, there is no potential for any significant direct, indirect or cumulative effects on air as a result of the proposed development.

Conclusions on Proper Planning and Sustainable Development

The Commission considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of design and siting, would provide modern housing facilities for poultry production to support animal welfare and safety, would not detract from the residential amenities of dwellings in the area, would not be prejudicial to public health, would not cause an unacceptable risk to groundwater, surface water, habitats or biodiversity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

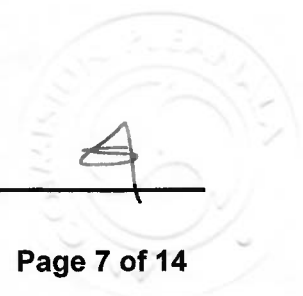
Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the submission received by An Coimisiún Pleanála on the 24th day of February 2026, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The mitigation measures contained in the submitted Natura Impact Statement (NIS), as revised by submission received by An Coimisiún Pleanála on 24th day of February 2026, shall be implemented in full.

Reason: To protect the integrity of European Sites.



3. The best practice methods, mitigation measures and monitoring commitments identified in the Environmental Impact Assessment Report, Noise Impact Assessment, Air Quality Impact Assessment as amended by the further plans and particulars received by An Coimisiún Pleanála on 24th day of February 2026, shall be implemented in full by the developer, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity and protection of the environment.

4. The development shall provide no more than 64,000 places for poultry within the development hereby permitted. There shall be no change in poultry type and no increase in the numbers of poultry being accommodated at the proposed development without a separate permission first having been obtained.

Reason: In the interests of clarity and orderly development.

5. Prior to the commencement of development, a revised site layout plan shall be submitted for the written agreement of the planning authority, showing the specific location of the underground storage tank for soiled water, along with detailed specification for same.

All liquid effluent, washwater and any other contaminated run-off generated by the proposed development shall be conveyed through properly constructed channels to the proposed storage facilities and no effluent or other contaminated run-off shall discharge or be allowed to discharge to any stream, river or watercourse.

Reason: In the interest of orderly development and environmental protection.

6. Prior to commencement of development the developer shall submit final plans and details of proposed stormwater disposal, i.e. swale attenuation or attenuation tank, along with supporting calculations, for the written agreement of the planning authority. All uncontaminated roof water from buildings shall be separately collected and discharged in a sealed system to the proposed swale system and shall not discharge or be allowed to discharge to soiled water drains or tanks.

Reason: In the interest of orderly development and environmental pollution.

7. Surface water from the site shall be disposed of within the boundaries of the site and shall not discharge onto the public road or adjoining property. Road drainage across the entrance and along the public road shall not be impeded or interrupted in any way.

Reason: In the interest of traffic safety.

8. (a) Manure generated by the proposed development shall be disposed of by spreading on land, or by other means acceptable in writing to the planning authority. The location, rate and time of spreading (including prohibited times for spreading) and the buffer zones to be applied shall be in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025 (S.I. No. 588/2025).
- (b) Where slurry or manure generated by the proposed development is moved to other locations, details of such movements are to be

notified to the Department of Agriculture, Food & the Marine in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025 (S.I. No. 588/2025) (as amended).

- (c) Where manure is removed by a third party, by agreement, to be land spread elsewhere, details of such an agreement (to include name of third party, lands to be spread, amounts of material) should be furnished to the local authority in which said lands are located.

Reason: To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of watercourses.

9. The developer shall engage a suitably qualified (license eligible) archaeologist to carry out an Archaeological Impact Assessment (AIA) in advance of any site preparation works and groundworks, including site investigation works/topsoil stripping/site clearance/dredging and/or construction works. The AIA shall involve an examination of all development layout/design drawings, completion of documentary/cartographic/ photographic research and fieldwork, the latter to include, where applicable - geophysical survey, metal detection survey and archaeological testing (consent/licensed as required under the National Monuments Acts), building survey/ analysis, visual impact assessment. The archaeologist shall prepare a comprehensive report, including an archaeological impact statement and mitigation strategy, to be submitted for the written agreement of the planning authority in advance of any site preparation works, groundworks and/or construction works. Where archaeological remains are shown to be present, preservation in-situ, establishment of 'buffer zones', preservation by record (archaeological excavation) or archaeological monitoring may be

required and mitigatory measures to ensure the preservation and/or recording of archaeological remains shall be included in the AIA. Any further archaeological mitigation requirements specified by the Local Authority Archaeologist, following consultation with the National Monuments Service, shall be complied with by the developer. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation, either in situ or by record, of places, caves, sites, features or other objects of archaeological interest.

10. Details of the finishes of the poultry house, feed stores and manure store shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

11. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- (a) A plan to scale of not less than 1:500 showing –
 - (i) The species, variety, number, size and locations of all proposed trees and shrubs.
 - (ii) Details of screen planting.
 - (iii) Hard landscaping works.
- (b) A timescale for implementation.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

12. A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: In the interest of residential amenities, public health and safety and environmental protection.

13. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

14. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of

such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Emer Maughan

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 10th day of June 2026